

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

HB 445

March 17, 2011

SUMMARY OF BILL: Defines “baby food,” “infant formula,” and “reusable food or beverage container” for the purposes of the Tennessee Food, Drug, and Cosmetic Act. Prohibits the manufacture, sale, and distribution in Tennessee of any reusable food or beverage container containing Bisphenol A, effective January 1, 2012. Prohibits the manufacture, sale, and distribution in Tennessee of any infant formula or baby food stored in any container containing Bisphenol A. Requires manufacturers to use the least toxic alternative when replacing Bisphenol A in reusable food and beverage containers. Prohibits the replacement of Bisphenol A with carcinogens or reproductive toxicants identified by the U.S. Environmental Protection Agency.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - \$2,800/ FY13-14 and Subsequent Years

Assumptions:

- The Department of Agriculture must analyze product container samples to determine if they contain Bisphenol A.
- The Department estimates analyzing 80 container samples each year in groups of 20.
- According to the Department, the cost for reagents necessary for analysis is approximately \$500 for each group of 20.
- The Department estimates that 75 percent of the sample products purchased for container testing will cost \$12.50, and that the other 25 percent of the samples will be obtained prior to filling the container and will have no cost.
- The recurring increase to state expenditures will be \$2,750 [(\$500 per reagent x 4 reagents) + (\$12.50 per sample x 80 samples x 75%)] beginning in FY13-14.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink, appearing to read "James W. White". The signature is fluid and cursive, with the first name "James" written in a smaller, more compact script than the last name "White".

James W. White, Executive Director

/sbh